

OFFICIAL COPY

Fresno, California

August 17, 1999

The City Council met in joint session with the Redevelopment Agency at the hour of 8:45a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Garry Bredefeld	Councilmember
	Chris Mathys	Acting President
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember/Chair
	Ken Steitz	Council President

Jeff Reid, City Manager  
Dan Fitzpatrick, Agency Executive Director  
Hilda Cantu Montoy, City Attorney  
Becky Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

**(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

**APPROVE AGENCY MINUTES OF JULY 27 AND AUGUST 6, 1999**

On motion of Councilmember Perea, seconded by President Steitz, duly carried, RESOLVED, the Agency minutes of July 27 and August 6, 1999, approved as submitted.

**(“A”) HEARING TO CONSIDER ACTIONS RELATING TO THE PROPOSED PROVIDENCE BAPTIST CHURCH PROJECT IN THE SOUTHWEST FRESNO GNRA REDEVELOPMENT PROJECT AREA**

**1. JOINT COUNCIL RESOLUTION NO. 99-231 AND AGENCY RESOLUTION NO. 1555 - APPROVING THE FORBEARANCE AND DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BETWEEN THE REDEVELOPMENT AGENCY AND PROVIDENCE BAPTIST CHURCH, INC., FOR DEVELOPMENT OF A CHURCH ON PROPERTY LOCATED ALONG THE WEST SIDE OF S. WALNUT AT E. LORENA AVENUE, AND MAKING CERTAIN FINDINGS AS REQUIRED UNDER REDEVELOPMENT LAW (HEALTH & SAFETY CODE SECTIONS 33433 AND 33445)**

**2. AUTHORIZE THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO NEGOTIATE AND EXECUTE A PURCHASE AGREEMENT FOR THE ACQUISITION OF APN 477-142-07 ON THE TERMS PRESENTED (AGENCY ACTION)**

**3. AUTHORIZE AND DIRECT THE EXECUTIVE DIRECTOR TO EXECUTE ALL DOCUMENTS AS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THE DDA, E.G., THE SIGNING OF DEEDS FROM THE AGENCY TO PROVIDENCE BAPTIST CHURCH, INC., ACCEPTING THE DEED FOR THE 1997 SITE. AND SIGNING ANY ESCROW INSTRUCTIONS (AGENCY ACTION)**

Chair Ronquillo announced the time had arrived to consider the issue and opened the hearing.

Redevelopment Administrator Murphey briefly reviewed the staff report as submitted. A representative of Providence Baptist Church responded to questions of Acting President Mathys relative to financing, total construction costs, drawings and project timeline. Ms. Murphey submitted technical corrections to the Resolution which were entered into the record. Upon call, no one wished to speak and Chair Ronquillo closed the hearing.

On motion of President Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Joint Council Resolution No. 99-231 and Agency Resolution No. 1555 hereby adopted; the Executive Director, or his designee, authorized to negotiate and execute a Purchase Agreement for the acquisition of APN 477-142-07 on the terms presented; and the Executive Director authorized and directed to execute all documents as necessary to carry out the purpose and intent of the DDA, e.g., the signing of deeds from the Agency to Providence Baptist Church, Inc., accepting the deed for the 1997 site, and signing any escrow instructions, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

**(“B”)** CONTINUED HEARING TO CONSIDER APPROVAL OF ACTIONS REGARDING THE SOUTHWEST FRESNO POLICE SUBSTATION AT THE KEARNEY PALMS SHOPPING CENTER PROJECT:

- 1. JOINT COUNCIL RESOLUTION NO. 99-232 AND AGENCY RESOLUTION NO. 1556 - APPROVING A “COOPERATION AGREEMENT AND AGREEMENT TO FINANCE AND CONSTRUCT POLICE SUBSTATION”, BETWEEN THE REDEVELOPMENT AGENCY AND THE CITY OF FRESNO, AND MAKING CERTAIN FINDINGS PURSUANT TO HEALTH & SAFETY CODE SECTIONS 33445 AND 33679**
- 2. AUTHORIZE THE AGENCY EXECUTIVE DIRECTOR AND CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE AND ADMINISTER THE CONTRACT**
- 3. APPROVE THE AMENDED SCOPE OF SERVICES/FEE SCHEDULE WITH S.I.M. ARCHITECTS AND THE REDEVELOPMENT AGENCY FOR ADDITIONAL DESIGN AND CONSTRUCTION DRAWINGS OF THE 8,400 SQUARE FOOT POLICE SUBSTATION FACILITY, AND AUTHORIZE THE AGENCY DIRECTOR, OR HIS DESIGNEE, TO ENTER INTO AN AMENDED AGREEMENT WITH S.I.M. ARCHITECTS**

Chair Ronquillo announced the time had arrived to consider the issue and opened the hearing.

Redevelopment Administrator Murphey reviewed the staff report and specifics of the issue, and recommended the agreement be approved for a 8,400 square foot facility with a 20-year lease and construction costs of \$100 a square foot.

Director Fitzpatrick responded to questions relative to the HCDC’s approval, definition of “fixtures”, reason for the 20-year lease term, determining a funding source for furniture and ensuring necessary funds are budgeted, clarification of fixtures versus furniture, what is allowed to be paid for under redevelopment law, and future need for an additional \$300,000 for the project and appropriation process.

President Steitz stated people had misinterpreted his position on the issue and clarified although he sincerely wanted to see the shopping center succeed he would not be voting in support due to a report from staff 1½ to 2 years ago stating the anchor tenant would lose revenues weekly in the amount of \$50,000 to \$100,000 and he preferred

those funds instead be spent improving neighborhoods. City Manager Reid noted it was the City’s intent all along

that the Agency would pay for what was allowed by law and clarified the issues of fixtures and lockers.

Upon call, no one else wished to be heard and closed the hearing.

On motion of Chair Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Joint Council Resolution No. 99-232 and Agency Resolution No. 1556 approving a Cooperation Agreement and Agreement to Finance and Construct a Police Substation and making certain findings hereby adopted; the Executive Director and City Manager, or their designees, authorized to execute and administer the contract; and the amended Scope of Services/Fee Schedule with S.I.M. Architects for increased design and construction drawings of an 8,400 square foot Police Substation Facility approved and the Executive Director, or his designee, authorized to enter into an amended agreement with S.I.M. Architects, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo
Noes	:	None
Absent	:	None
Abstain	:	Steitz

**(“C”) APPROVE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND BOYLE ENGINEERING CORPORATION FOR DESIGN SERVICES OF STREET WIDENING AND RECONSTRUCTION IMPROVEMENTS RELATIVE TO THE FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR ROEDING INDUSTRIAL BUSINESS PARK; AND AUTHORIZE THE EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO EXECUTE AND ADMINISTER THE AGREEMENT**

Barbara Hunt, 944 “F” Street, spoke to the issue of redevelopment funds.

On motion of Acting President Mathys, seconded by President Steitz, duly carried, RESOLVED, a Professional Services Agreement between the Redevelopment Agency and Boyle Engineering Corporation for design services of street widening and reconstruction improvements relative to the Federal Economic Development Administration Grant for the Roeding Industrial Business Park hereby approved; and the Executive Director, or his designee, authorized to execute and administer the agreement, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

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The joint bodies adjourned and the City Council convened in regular session at 9:09 a.m.

Father Lawrence, St. James Episcopal Cathedral, gave the invocation.

Councilmember Boyajian led the Pledge of Allegiance to the Flag.

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PROCLAMATION OF "STEVEN SMITH DAY" - ACTING PRESIDENT MATHYS

PROCLAMATION OF "POLICE OFFICER BRENDA TROBAUGH DAY" - COUNCILMEMBER QUINTERO  
(2 - 0)

The above proclamations were read and presented.

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**APPROVE MINUTES OF JULY 27 AND AUGUST 6, 1999:**

On motion of Councilmember Perea, seconded by Councilmember Boyajian, duly carried, RESOLVED, the minutes of July 27 and August 6, 1999, approved as submitted.

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**APPROVE AGENDA:**

REQUEST FOR ADDITIONAL INFORMATION/REPORT ON THE WORKFORCE INVESTMENT ACT -  
COUNCILMEMBER PEREA

Request made.

REQUEST FOR STATUS ON PRIOR COUNCIL DIRECTION TO MEET WITH THE AGC ON  
NEIGHBORHOOD PROJECTS - COUNCILMEMBER PEREA

Request made with City Manager Reid responding.

**(10:45 A.M.)** HEARING ON REZONING APPLICATION NO. R-93-17, FILED BY SPALDING WATHEN,  
RELATED TO VESTING TENTATIVE TRACT NO 4582, PROPERTY LOCATED ON THE NORTHEAST  
CORNER OF N. POLK AND N. SANTA FE AVENUES

City Clerk Klisch advised staff was requesting the hearing be continued one week.

On motion of Acting President Mathys, seconded by Councilmember Boyajian, duly carried, RESOLVED,  
the hearing on R-93-17 filed by Spalding Wathen continued to August 24, 1999, at 10:45 a.m., by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

**134-55**

**8/17/99**

**(11:00 A.M.)** HEARING ON PLAN AMENDMENT NO. A-99-15 AND REZONING APPLICATION NO. R-99-  
24, FILED BY DIRK POESCHEL, REPRESENTING CALCOT LTD AND VENDO COMPANY, PROPERTY  
LOCATED NORTHWEST OF THE N. INGRAM AVENUE AND THE NEW W. ALLUVIAL AVENUE

ALIGNMENT INTERSECTION (*REQUEST TO CONTINUE TO AUGUST 24, 1999, AT 11:00 A.M.*)

On motion of Acting President Mathys, seconded by Councilmember Boyajian, duly carried, RESOLVED, the hearing on Plan Amendment No. A-99-15 and R-99-24, filed by Dirk Poeschel representing Calcot LTD and Vendo Company, continued to August 24, 1999, at 11:00 a.m., by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

DIRECT CITY MANAGER TO LOOK INTO CODE ENFORCEMENT/CLEAN-UP COMPLAINT FILED FOR PROPERTY AT 804 "F" STREET - COUNCILMEMBER RONQUILLO

Direction made and brief discussion ensued.

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

COMMENDATION TO PARKS, RECREATION AND COMMUNITY SERVICES DIRECTOR PRIMAVERA FOR EFFORTS ON THE SCIENCE CENTER AT GRANNY'S PARK - COUNCILMEMBER PEREA

Commendation made.

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**ADOPT CONSENT CALENDAR:**

**(1A-1) RESOLUTION NO. 99-233** - DEDICATING A PORTION OF A WATER WELL SITE ON THE EAST SIDE OF MARKS AVENUE SOUTH OF SAN JOSE AVENUE FOR PUBLIC UTILITY PURPOSES

**(1A-4)** AWARD A CONTRACT TO STEVE DOVALI CONSTRUCTION IN THE AMOUNT OF \$149,000 FOR WELL SITE IMPROVEMENTS AT PUMP STATION 2B

**(1A-5) RESOLUTION NO. 99-234** - AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE 21<sup>ST</sup> DISTRICT AGRICULTURAL ASSOCIATION TO PROVIDE POLICING SERVICES AT THE 1999 FRESNO DISTRICT FAIR

134-56

8/17/99

**(1A-6) \*RESOLUTION NO. 99-235** - 9<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$50,000 TO ACCEPT STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FUNDING FOR THE POLICE DEPARTMENT'S GRANT ASSISTANCE TO LOCAL LAW ENFORCEMENT AGENCIES

## PROGRAM

**(1A-7)** APPROVE A LEASE AGREEMENT WITH HAROLD SHERFY FOR LEASE OF LAND FOR A COMMUNITY SCIENCE WORKSHOP, PROPERTY LOCATED AT 2020 E. PONTIAC AVENUE; AND AUTHORIZE THE PARKS, RECREATION AND COMMUNITY SERVICES DIRECTOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS THEREOF ON BEHALF OF THE CITY

**(1A-8)** APPROVE A TEN (10) YEAR EXTENSION OF A LEASE AND MANAGEMENT AGREEMENT WITH EBITGOLF, INC. TO OPERATE THE RIVERSIDE MUNICIPAL GOLF COURSE; AND AUTHORIZE THE PARKS, RECREATION AND COMMUNITY SERVICES DIRECTOR, OR HIS DESIGNEE, TO EXECUTE ALL DOCUMENTS THEREOF ON BEHALF OF THE CITY

**(1A-9) \*RESOLUTION NO. 99-236** - AUTHORIZING THE FILING OF AN APPLICATION FOR STATE OF CALIFORNIA GRANT FUNDS FROM VARIOUS SPECIAL APPROPRIATIONS FOR RESTORATION OF THE MEUX HOME

**a. \*RESOLUTION NO. 99-237** - 14<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$73,900 OF SPECIAL LOCAL ASSISTANCE STATE GRANT RESOURCES FOR RESTORATION OF THE MEUX HOME

**b.** AUTHORIZE THE DIRECTOR OF PARKS, RECREATION AND COMMUNITY SERVICES, OR HIS DESIGNEES, TO CONDUCT ALL NEGOTIATIONS, EXECUTE AND SUBMIT ALL DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS, AGREEMENTS, AMENDMENTS, PAYMENT REQUESTS AND SO ON, WHICH MAY BE NECESSARY FOR THE COMPLETION OF THE PROJECT

**(1A-10) RESOLUTION NO. 99-238** - AUTHORIZING THE PURCHASE OF AMERICAN BODY ARMOR XTREME ARMOR BALLISTIC VESTS WITH THE ALLOCATED FUNDING OF \$120,000, WITHOUT ADVERTISED BIDDING UNDER THE SOLE SOURCE EXCEPTION, AS WELL AS FUTURE PURCHASES AS THE NEED TO OBTAIN ADDITIONAL VESTS OCCURS

On motion of Acting President Mathys, seconded by Councilmember Perea, duly carried, **RESOLVED**, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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**(9:30 A.M.)** APPEARANCE BY STAN SANTOS OR GLORIA HERNANDEZ REQUESTING A STATEMENT OF COUNCIL SUPPORT ON BEHALF OF ALEJANDRA MENDOZA TO ALLOW HER TO REMAIN IN THE UNITED STATES

Appearance made by Ms. Hernandez, Member of Comitel No Nos Vamos, who introduced Mrs. Mendoza, submitted a draft Resolution on the issue for Council's consideration, and reviewed the issue and requested a statement of support.

**134-57**

**8/17/99**

Brief discussion ensued on the issue with Ms. Hernandez responding to questions. Councilmember Ronquillo stated he wanted to go beyond a letter of support and requested the City Attorney draft a resolution to be adopted and transmitted to Federal officials. By Council consensus, a resolution to be brought back on August 24<sup>th</sup> at 11:15

a.m. for action.

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**(9:35 A.M.) APPEARANCE BY TOU LONG LO, HMONG NATIONAL COUNCIL, INC., TO DISCUSS A RAPE CASE, POLICE ARREST, AND FAIRGROUND CONTRACT FOR THE HMONG NEW YEAR FESTIVITIES**

Appearance made. Relative to the arrest, President Steitz directed the City Manager to provide a report on portions of the official police report that are public record. There was no further discussion. Councilmember Ronquillo briefly left the meeting at 10:05 a.m.

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**(9:40 A.M.) APPEARANCE BY BARBARA HUNT TO DISCUSS A HOMELESS SHELTER AND DRUG AND ALCOHOL PROGRAM**

Appearance made and no action was taken. Councilmember Perea stated he would not tolerate racist comments made by any speaker. President Steitz concurred and noted Councilmembers had the same authority as he did to rule speakers out of order when necessary.

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**(9:45 A.M.) APPEARANCE BY DAVID WELLS TO REQUEST COUNCIL TO RE-BID THE PURCHASE OF TWO (2) HYBRID ELECTRIC BUSES**

Appearance and request made. No action was taken.

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**REQUEST TO SUSPEND COUNCIL RULE RELATIVE TO UNSCHEDULED ORAL COMMUNICATIONS - ACTING PRESIDENT MATHYS**

On motion of Acting President Mathys, seconded by Councilmember Perea, duly carried, RESOLVED, the Council rule hereby suspended to consider "Unscheduled Oral Communications" at this time, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

**UNSCHEDULED ORAL COMMUNICATIONS:**

**APPEARANCE BY BRUCE ANDERSON, 6149 N. SELLAND, RELATIVE TO THE CURFEW FOR MINORS AND SUBSEQUENT FINE RECEIVED**

**134-58**

**8/17/99**

Mr. Anderson advised of an incident involving his son and a fine received from Fresno County, and requested Council look into inadequacies of the municipal code and the curfew program. Brief discussion ensued on the possibility of waiving the fine and the equity aspect of the fine. Councilmember Ronquillo returned to the meeting

at 10:18 a.m. **(3 - 0)** City Attorney Montoy stated she would meet with Mr. Anderson and work with the Police Department on the issue. There was no further discussion.

**APPEARANCE BY EARL BRADLEY EXPRESSING CONCERN AND REFUTING COMMENTS MADE BY AN EARLIER SPEAKER RELATIVE TO WEST SIDE RESIDENTS**

Appearance made.

**APPEARANCE BY QUAN PHAM, REPRESENTING APPLIED AEROSPACE STRUCTURES CORP. (AASC), STOCKTON, CA, REGARDING HYBRID ELECTRIC BUSES AND AASC'S LONG-TERM PLAN OF LOCATING A FACILITY IN THE CITY OF FRESNO**

Appearance made with Mr. Pham responding to questions of Councilmember Quintero. President Steitz recommended the matter be further discussed during the 10:30 a.m. issue. There was no action taken.

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**(10:00 A.M.) APPROVE EXTENSION OF THE 1999 FRESNO FALCONS LICENSE AGREEMENT FOR ONE (1) YEAR OR APPROVE A THREE (3) YEAR LICENSE AGREEMENT WITH PERFORMANCE CRITERIA - COUNCILMEMBER PEREA**

Councilmember Perea briefly reviewed the background and status of the issue, noted a lot of work had been carried out by staff and the Falcons, and requested presentations by staff and by the Falcons on their proposal just submitted, a copy of which is on file in the office of the City Clerk.

Convention Center Director Valdez stated staff's report was straightforward and recommended the Falcons pay for all their expenses emphasizing the City could not continue to take losses of \$135,000 annually.

Brian Viselli, Fresno Falcons, reviewed specifics of their 3-year proposal with contributions toward the subsidy increasing each year, advised attendance the past year increased by 45% and would continue to do so due to an increased marketing program for the upcoming seasons, and emphasized the Falcons did not want to be subsidized and urged they be given a three year commitment.

Speaking in support of the Fresno Falcons and what they contribute to the community were: Jay Johnson, 1349 E. Portland, former Falcons player and Icelandia Hockey Director, on behalf of the Glassman and Ritz families; Jerry Schermerhorn, 8735 N. Cedar #131; Linda Glassman, 3265 W. Figarden Dr., Iceoplex; and Claude Thompson, 8406 N. Calaveras.

Acting President Mathys stated no one wanted to see hockey leave; emphasized the issue was if Council wanted to subsidize entertainment and if so, to what extent; and questioned (1) if the lease could be structured so there would be no subsidy at the end of 3 years, and (2) why costs deviated so much between games, with Mr. Viselli and Mr. Valdez responding. Discussion ensued on increasing ticket fees to ultimately eliminate the subsidy,

**134-59**

**8/17/99**

and the City's costs and control over those costs, with Mr. Viselli responding. Acting President Mathys made a motion keep last year's agreement with ticket fees of \$1.25 the first year, \$1.75 the second, and \$2.00 the third, which motion did not receive a second.



Economic Development Coordinator Webster commented on Selland Arena costs and clarified staff was able to determine costs by attendance adding the statement that the City's costs could not be controlled were inaccurate. Mr. Webster and Mr. Viselli responded to questions of Councilmember Bredefeld relative to the \$135,000 annual shortfall, paid attendance figures, the Pelco night issue, anticipated reduction in the subsidy the first year with the Falcons' proposal, amount to be spent on the upcoming increased marketing campaign, **(4 - 0)** and the annual losses of the Convention Center and how the deficit is made up. Councilmember Bredefeld stated this was a quality of life issue and it was the City's responsibility to draw various entertainment venues to the Selland Arena to enhance the community, and made a motion to support the Falcons' 3-year proposal, keep last year's agreement, with ticket fees of \$1.50 for the 1999-2000 season, \$1.75 for the 2000-2001 season, and \$2.00 for the 2001-2002 season, which seconded by Councilmember Perea.

Councilmember Boyajian emphasized the City had shown a commitment to hockey and questioned how much the Falcons were committed, and stressed something needed to be worked out because the City was not competing with the Falcons.

City Manager Reid commented on and clarified issues relative to: the Pelco night, how the City and the Falcons benefit from different things, on the agreement with Bud Long, how there had never meant to be a City subsidy and now it was being taken for granted there would be a subsidy, on the risk the City was taking, on operational costs of the arena, on other quality entertainment venues that would be booked if hockey were not there, the need to have a cash flow from the facility, and stated the assumption that there needed to be a 3-year subsidy was tying up staff's hands.

Relative to motion to "keep" last year's agreement, City Attorney Montoy clarified the City would be utilizing the expired agreement other than the fees, and questioned if any performance measures would be required at the end of each year. President Steitz concurred there was a need for performance standards and discussion ensued on standards, on the City's costs, and on establishing a specific subsidy.

Mr. Viselli and Mr. Valdez responded to questions of Councilmember Quintero relative to the Falcons proposed marketing campaign and costs, where the team practiced, differences between the Falcons' and staff's proposals, and cost just to open the Selland Arena. Councilmember Quintero stated if the motion on the floor were to be approved he wanted a more detailed report on the Falcons' marketing campaign.

A call for the question was made. President Steitz stated he would oppose the motion because no performance standards were being required.

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, a call for the question approved and debate on the issue closed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	Ronquillo
Absent	:	None

A motion of Councilmember Bredefeld, seconded by Councilmember Perea, to utilize the expired agreement, designate ticket fees of \$1.50 for the 1999-2000 season, \$1.75 for the 2000-2001 season, and \$2.00 for the 2001-2002 season, with no performance standards and no cap failed, by the following vote:

Ayes : Bredefeld, Mathys, Perea  
Noes : Boyajian, Quintero, Ronquillo, Steitz  
Absent : None

A motion of Councilmember Quintero, seconded by President Steitz, to approve “Staff’s License Deal” failed, by the following vote:

Ayes : Quintero, Steitz  
Noes : Boyajian, Bredefeld, Mathys, Perea, Ronquillo  
Absent : None

Councilmember Ronquillo made a motion to approve the Fresno Falcon’s proposal with a \$150,000 cap to be reviewed in one year, which motion died for lack of a second.

Acting President Mathys made a motion to utilize the expired agreement with ticket fees of \$1.25 the first year, \$1.75 the second, and \$2.00 the third, which motion died for lack of a second.

Brief discussion ensued how a cap would be measured, on performance standards, and on the Falcons’ proposal to ultimately reduce and get off the subsidy. **(5 - 0)**

Councilmember Perea made a motion to utilize the expired agreement, and set the ticket fees at \$1.25/\$1.50/\$1.75 with an evaluation at the end of the first season and authority to adjust those prices, which was seconded by Councilmember Ronquillo and acted upon after additional brief discussion.

Mr. Wesbter stated the proposal was incomplete and requested staff be given additional time to review other leases and agreements and report back with viable options and/or suggestions. Mr. Viselli and Mr. Valdez responded to additional questions relative support for the ability to evaluate aspects and adjust fees after the first year, if there was any common ground, and agreement to include the marketing campaign costs in the contract.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, (1) a three-year proposal hereby approved utilizing the expired agreement with the Fresno Falcons, (2) ticket fees to the City set at \$1.25/\$1.50/\$1.75, and (3) Council to evaluate at the end of the first season and authorized to adjust the fees for the second and third years, if necessary, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Ronquillo  
Noes : Quintero, Steitz  
Absent : None

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**(10:30 A.M.) HEARING RELATIVE TO REGIONAL AIR QUALITY ISSUES AND ALTERNATIVE POWER SOURCES - COUNCILMEMBER PEREA**

**134-61**

**8/17/99**

Councilmember Perea briefly reviewed the issue stating it went beyond the purchase of buses as discussed during budget and more specifically dealt with what policy position the City would take with respect to air quality; noted there would probably not be any debate on the seriousness of air quality in the valley and explained; and stated he would like to see the City move toward an ordinance or some other document modeled after San Francisco’s

ordinance on (1) the City's position on air quality and what role Council would take, and (2) controlling the City's fleet by moving towards clean air fuels. *(Continued later in the meeting)*

**RECESS - 12:05 P.M. - 12:14 P.M.**

Due to lack of a quorum, President Steitz adjourned the meeting and called for a lunch recess.

**LUNCH RECESS - 12:14 P.M. - 2:07 P.M.** Councilmembers Quintero and Ronquillo arrived later.

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**(1A-2) \*RESOLUTION NO. 99-239 - AUTHORIZING THE CITY MANAGER TO ENTER INTO AND SIGN AGREEMENTS RELATED TO THE USE OF FACILITIES IN CONNECTION WITH THE TRIGGER LOCK DISTRIBUTION PROGRAM**

City Attorney Montoy responded to questions of President Steitz relative to the program process and liability issues in distributing the trigger locks.

On motion of Councilmember Bredefeld, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 99-239 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea
Noes	:	Steitz
Absent	:	Quintero, Ronquillo

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**(1A-3) AWARD A CONTRACT TO CONSTRUCT A 10 MEGAWATT ELECTRICAL SUBSTATION AT THE FRESNO/CLOVIS REGIONAL RECLAMATION FACILITY**

Jim Homer, representing the low bidder Clyde G. Steagall, Inc., requested the contract not be awarded to his company because the cost for a very expensive test on the transformer was not included in his bid and explained, and requested the project be rebid out of fairness to the other bidders. Councilmember Quintero arrived at 2:16 p.m.

Brief discussions ensued on implications of awarding the contract or rejecting the bids, with City Attorney Montoy responding, and Purchasing Manager Taggart and Assistant Public Utilities Director Abramson clarifying issues and advising of fiscal impacts. Upon question of Councilmember Boyajian, Mr. Homer explained what the problem was.

On motion of President Steitz, seconded by Councilmember Perea, duly carried, RESOLVED, bids for the project hereby rejected and staff directed to rebid the project, by the following vote:

**134-62**

**8/17/99**

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

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**(10:30 A.M.) HEARING RELATIVE TO REGIONAL AIR QUALITY ISSUES AND ALTERNATIVE POWER SOURCES - CONTINUED FROM EARLIER**

Councilmember Ronquillo arrived at 2:23 p.m. Transit General Manager Rudd concurred air quality in the valley was a regional issue which required everyone to work together to resolve adding the most important issue associated with air quality was public health, and advised of prior programs implemented by either the San Joaquin Valley Unified Air Pollution Control District or the ARB in attempts to address the issue. Councilmember Bredefeld briefly left the meeting at 2:30 p.m. Mr. Rudd reviewed Transit's participation in the program **(6 - 0)** and concluded his presentation.

City Manager Reid recapped critical issues and urged Council to continue to support management staff emphasizing decisions needed to be based upon sound science, economics, and professionals in the field. Councilmember Bredefeld returned to the meeting at 2:49 p.m.

Speaking to the issue were of alternative power sources and making presentations were: Bob Riding, Program Manager, P.G. & E.'s Clean Air Program. At the expiration of three minutes, the following action was taken:

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, additional time for Mr. Riding's presentation hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

Mr. Riding continued and concluded his presentation. Continued speakers were: Jim Larson, Senior Program Manager, P.G. & E.'s Clean Air Transportation; Barbara Goodwin, Fresno County Council of Government; Bob Beavis, Western Regional Manager, Orion Bus Industries **(7 - 0)**; Dan Nevin, Cummins West, San Leandro, CA; Gary Willms, Hayward, CA; and David Wells, P.O. Box 1523.

Councilmember Perea reiterated air quality was an issue in the valley, emphasized FAX was doing a great job based on policy direction given, referenced San Francisco's "Healthy Air and Smog Prevention" ordinance which he distributed, and directed the City Attorney to draft an ordinance modeled after San Francisco with three major elements and explained. President Steitz and City Attorney Montoy recommended Councilmember Perea schedule his direction on the agenda in one week due to the issue not being noticed for action. President Steitz advised he would also be scheduling the issue of ordering the hybrid buses in one week.

Brief discussion ensued on the project to purchase the hybrid diesel electric buses, higher cost for the hybrid buses versus natural gas, impact on funding for the hybrid buses if they were not purchased, federal funds to

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purchase other buses in the future, state mandates, and meeting with the Air Pollution Control Board, with Mr. Rudd and Mr. Reid responding to questions. Councilmember Bredefeld left the meeting at 4:08 p.m. and returned for closed session. Mr. Rudd stated staff would continue to evaluate technology as it was constantly changing.

(11:30 A.M.) HEARING ON PLAN AMENDMENT NO. A-99-08 AND REZONING APPLICATION NO. R-99-17, FILED BY BALBIR GREWAL, PROPERTY LOCATED ON THE EAST SIDE OF N. BLACKSTONE BETWEEN E. SHIELDS AND E. CLINTON AVENUES

1. **RESOLUTION NO. 99-240** - AMENDING THE MCLANE COMMUNITY PLAN

2. **BILL NO. B-55 - ORDINANCE NO. 99-52** - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM R-1 TO C-5

President Steitz announced the time had arrived to consider the issue and opened the hearing.

Supervising Planner Haro briefly reviewed the staff report as submitted (**8 - 0**) and recommended approval.

Upon call, no one wished to be heard and President Steitz closed the hearing.

Mr. Haro responded to questions of Councilmember Perea relative to car lots as a permitted use in C-6 zone districts and changing that allowed use with a CUP approach.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, **RESOLVED**, the finding of a Negative Declaration for Environmental Assessment No. A-99-08, R-99-17 hereby approved; the above entitled Resolution No. 99-240 approving Plan Amendment No. A-99-08 proposing to amend the easterly portion of the site on the McLane Community Plan from medium density residential to general commercial land use designation adopted; and the above entitled Bill No. B-55 rezoning the easterly portion of the site from R-1 to the *Alternative C-5* zone district adopted as Ordinance No. 99-52, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld

- - - -

**(2:00 P.M.) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL:**

**(A) ANTICIPATED LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b) - SIGNIFICANT EXPOSURE TO LITIGATION: CLAIM OF LEWIS MERCADO**

**(B) EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:**

1. KENNETH LINDER V. CITY OF FRESNO
2. HAAS V. COUNTY OF SAN BERNARDINO (AMICUS BRIEF)
3. FRESNO CITY EMPLOYEES ASSOCIATION V. CITY OF FRESNO, ET AL.

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4. CIVIC CENTER SQUARE, INC. V. CITY OF FRESNO, SUP. CT. #612624-7; CITY OF FRESNO V. CIVIC CENTER SQUARE, INC., ET AL, SUP. CT. #612629-6; CITY OF FRESNO V. CORDON WEBSTER, ET AL, SUP. CT. #912630-4; AND CITY OF FRESNO V. CIVIC CENTER SQUARE, INC., SUP. CT. #612631-2

The City Council met in closed session in Room 2125 at the hour of 4:16 p.m. to consider the above issues

and reconvened in regular open session at 5:02 p.m.

#### CLOSED SESSION ANNOUNCEMENT

City Attorney Montoy announced in the matter of “A”, Claim of Lewis Mercado, the Council voted 7-0 to reject the claim in the amount of \$328,000 for damages and \$1.1 million for emotional distress.

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#### **(5:00 P.M.) DETERMINATION TO HOLD A PUBLIC HEARING TO REVIEW THE PLANNING COMMISSION’S ACTION ON CONDITIONAL USE PERMIT NO. C-99-070, FILED BY ROBERT ELLIS, FOR A CHARTER SCHOOL AT 830 FRESNO STREET**

A motion and second to set a hearing was acted upon after brief discussion on timeline for noticing, with Dirk Poeschel, representing the applicant, requesting the earliest date possible.

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, a hearing on CUP No. C-99-070, filed by Robert Ellis, set for August 31, 1999, at 4:00 p.m., by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

- - - -

#### **(3A) CONSIDER LANDFILL CLOSURE AND REGIONAL SPORTS COMPLEX COST ESTIMATES VERSUS BUDGET APPROPRIATIONS**

Assistant Public Utilities Director Anderson reviewed the staff report as submitted and requested Council direction.

Councilmember Ronquillo commented on the issue and stated he supported moving forward with the sports complex and explained. City Manager Reid clarified reasons for the higher costs and staff’s recommendation to move forward with the closure mandated by the EPA.

Lengthy discussion ensued on maintaining the budget, the goal being closure of the landfill, possibility of rate increases, known problems at the beginning and responsibility of the City to correct the problem and beautify the site, prior proposal from Joe Williams, and funding source for the project. A motion and second was made to *not* build the sports complex rather than develop a substandard facility as recommended by staff. Upon question of Councilmember Ronquillo, Mr. Anderson stated if the motion did not pass, staff would move forward with prior direction to build the sports complex. Mr. Reid clarified staff would have to examine what their administrative authorities were relative to bringing back a proposal for an award of a contract including the park site.

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A motion of Acting President Mathys, seconded by President Steitz, to not build the sports complex rather than develop a substandard facility failed, by the following vote:

Ayes	:	Steitz
Noes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo

Absent : None

Mr. Reid questioned if Council would be supporting an increase in the budget to maintain the original design standards adding the main funding source would be the ratepayers. Brief discussion ensued on utilizing Agency funds, moving closer to awarding the contract for closure, affect on other parks if this parked moved forward, and priority process for parks, with Mr. Reid responding to questions. There was no further discussion.

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On motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED, Item **5K** to be heard next for citizen convenience, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

**(5K) REQUEST CITY MANAGER, OR HIS DESIGNEE, TO DIRECT STAFF TO LOCATE FUNDING FOR DEVELOPMENT FEES ASSOCIATED WITH THE WILBERFORCE PROJECT - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo who noted fees were estimated to be \$26,000, and made a motion to direct the City Manager to assist in locating funds to pay the fees. Councilmember Bredefeld briefly left the meeting at 5:35 p.m. City Manager Reid commented on the issue and the fees and clarified the focus all along had been on the university project only and not student housing.

Carl Wallace, Greater Fresno Consortium, reviewed the background of the issue and stated housing was needed at the same time as the campus.

Brief discussion ensued on the need to review the plans and specifications and obtain fees for the entire project, with Mr. Wallace and Planning Manager Yovino responding to questions. Councilmember Ronquillo stated he would work with the City Manager and a Wilberforce representative to discuss the issue further. There was no action taken.

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**(3B) REQUEST RECONSIDERATION OF COUNCIL’S FAILURE TO ELECT TO PASS THROUGH PROPERTY TAX INCREMENTS FROM THE REDEVELOPMENT AGENCY TO THE CITY’S GENERAL FUND - MAYOR PATTERSON (*RECONSIDERED LATER*)**

**(9 - 0)** City Manager Reid briefly reviewed the issue.

**134-66**

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A motion of Acting President Mathys, seconded by President Steitz, to elect pass through tax increments from the Redevelopment Agency to City’s general fund failed, by the following vote:

Ayes : Mathys, Quintero, Steitz  
Noes : Boyajian, Perea, Ronquillo

Absent : Bredefeld

- - - -

**(5A) \*RESOLUTION NO. 99-241 - 12<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$25,700 OF DISTRICT 2's GENERAL FUND INFRASTRUCTURE BUDGET TO FUND NON-INFRASTRUCTURE RELATED PROJECTS FOR A HANDICAP RAMP AT THE DOG PARK AND A REFRIGERATOR AT THE PINEDALE COMMUNITY CENTER - ACTING PRESIDENT MATHYS**

Briefly reviewed by Acting President Mathys. Councilmember Bredefeld returned to the meeting at 5:49 p.m.

On motion of Acting President Mathys, seconded by Councilmember Boyajian, duly carried, RESOLVED, the above entitled Resolution No. 99-241 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

- - - -

**(5B) \*RESOLUTION NO. 99-242 - 11<sup>TH</sup> AMENDMENT TO AAR 99-181 APPROPRIATING \$5,000 OF DISTRICT 5's GENERAL INFRASTRUCTURE BUDGET TO FUND A NON-INFRASTRUCTURE RELATED PROJECT FOR OPERATION MOUNTED PATROL - COUNCILMEMBER QUINTERO**

Briefly reviewed by Councilmember Quintero.

On motion of Councilmember Quintero, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 99-242 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

- - - -

**(3B) REQUEST RECONSIDERATION OF COUNCIL'S FAILURE TO ELECT TO PASS THROUGH PROPERTY TAX INCREMENTS FROM THE REDEVELOPMENT AGENCY TO THE CITY'S GENERAL FUND - MAYOR PATTERSON (*FROM EARLIER*)**

On motion of Councilmember Bredefeld, seconded by Acting President Mathys, duly carried, RESOLVED, reconsideration of the issue hereby approved, by the following vote:

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Ayes : Bredefeld, Mathys, Quintero, Steitz  
Noes : Boyajian, Perea, Ronquillo  
Absent : None

Councilmember Ronquillo distributed written material to Council relative to Agency payments made to, or on behalf of the City in the past ten years totaling \$27,805,746 and elaborated, and stated his opposition to approving



the election. Councilmember Bredefeld stated this was an issue of fairness and explained, and stated his support for the 25% pass through to the City.

**1. RESOLUTION NO. 99-244 - ELECTING TO RECEIVE PART OF THE TAX INCREMENTS FOR THE AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33607.5**

**2. RESOLUTION NO. 99-245 - ELECTING TO RECEIVE PART OF THE TAX INCREMENTS FOR THE SOUTH FRESNO INDUSTRIAL REVITALIZATION REDEVELOPMENT PROJECT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33607.5**

On motion of Councilmember Bredefeld, seconded by Acting President Mathys, duly carried, RESOLVED, the above entitled Resolution Nos. 99-244 and 99-245 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Quintero, Steitz
Noes	:	Boyajian, Perea, Ronquillo
Absent	:	None

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**(6:00 P.M.) DETERMINATION TO HOLD A PUBLIC HEARING TO REVIEW THE PLANNING COMMISSION'S ACTION ON SITE PLAN REVIEW NO. S-99-89, PROJECT LOCATED AT THE SOUTH-EAST CORNER OF W. WHITESBRIDGE ROAD AND S. HUGHES AVENUE - GREEN'S RECYCLING - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo who requested Council's support for a hearing as soon as possible noting there were a lot of concerns.

On motion of Councilmember Ronquillo, seconded by Acting President Mathys, duly carried, RESOLVED, a hearing on Site Plan Review Application No. S-99-89 scheduled for September 21, 1999, at 5:30 p.m., by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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**RECESS - 6:05 P.M. - 6:16 P.M.** Councilmember Bredefeld arrived later.

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*The following issue was not recorded:*

**(5C) RESOLUTION NO. 99-243 - SUPPORTING AN APPLICATION BY THE SEQUOIA COMMUNITY HEALTH FOUNDATION (SCHF) FOR RURAL COMMUNITY ASSISTANCE CORPORATION PLANNING GRANT - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo who requested Council's support of SCHF and their

endeavors.

On motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED,, the above entitled Resolution No. 99-243 hereby adopted, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld

- - - -

**(5D) APPROVE APPOINTMENT OF PRESIDENT STEITZ TO THE DESIGN REVIEW COMMITTEE CREATED FOR BUILDING AN AMTRAK STATION PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND CITY ON DECEMBER 30, 1994 - PRESIDENT STEITZ**

**Recording resumes:** Councilmember Bredefeld returned at 6:18 p.m. Briefly reviewed by President Steitz who requested he be given the authority to attend meetings and vote in the absence of the Mayor. Upon question of Councilmember Ronquillo, President Steitz stated he would be supporting the planned structure as rehabilitation of the old station would be costing \$9 million adding there was a possibility of losing state funds if the City did not issue bids. Councilmember Ronquillo reiterated his opposition to the new design, and Councilmember Perea stated he would not be supporting the appointment as he did not agree a new station should be built.

On motion of Acting President Mathys, seconded by Councilmember Boyajian, duly carried, RESOLVED, President Steitz appointed to the Amtrak Station Design Review Committee, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Steitz
Noes	:	Perea, Ronquillo
Absent	:	None

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**(5E) PROPOSED APPOINTMENT OF LINDA O'NEAL TO THE COMMISSION ON THE STATUS OF WOMEN - COUNCILMEMBER BREDEFELD (FOR INTRODUCTION)**

On motion of Councilmember Bredefeld, seconded by Acting President Mathys, duly carried, RESOLVED, the appointment of Linda O'Neal to the Commission on the Status of Women introduced before the Council and laid over, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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**8/17/99**

**(5F) APPROVE APPOINTMENT OF MAX FUTRELL, ED.D. TO THE CIVIL SERVICE BOARD - MAYOR PATTERSON (FOR ADOPTION)**

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, Max Futrell appointed to the Civil Service Board, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

- - - -

**(5G) RATIFY APPOINTMENTS MADE JULY 27, 1999, OF COUNCILMEMBERS BOYAJIAN, PEREA AND RONQUILLO TO THE INFILL REVITALIZATION COMMITTEE - PRESIDENT STEITZ**

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, the appointments of Councilmembers Boyajian, Perea and Ronquillo to the Infill Revitalization Committee hereby ratified, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

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**(5H) PROPOSED APPOINTMENT OF JOSE ARECHIGA TO THE FRESNO WORKFORCE DEVELOPMENT BOARD - COUNCILMEMBER BOYAJIAN (FOR INTRODUCTION)**

Upon question of Councilmember Quintero, City Attorney Montoy stated there would be no conflict with Mr. Arechiga being Councilmember Boyajian's Treasurer and being appointed to the Board.

On motion of Councilmember Boyajian, seconded by Councilmember Perea, duly carried, RESOLVED, the appointment of Jose Arechiga to the Workforce Development Board introduced before the Council and laid over, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz  
Noes : None  
Absent : None

- - - -

**(5I) REQUEST CITY MANAGER, OR DESIGNEE, TO PERMANENTLY ELIMINATE THE OPERATION CLEAN-UP PROGRAM DURING THE MONTH OF DECEMBER AND RE-SCHEDULE BETWEEN JANUARY AND NOVEMBER - ACTING PRESIDENT MATHYS**

Briefly reviewed by Acting President Mathys who stated debris placed on streets during the holidays was an eyesore and took up needed street parking for holiday parties and so forth. City Manager Reid advised staff had looked at the issue logistically and logically and could not support the request, and advised staff would enforce the two week provision for placement of debris.

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Upon question of Acting President Mathys, Housing and Neighborhood Revitalization Director Quiring advised staff had already worked out a schedule wherein Operation Clean-Up was not running the last two weeks of December currently. There was no further discussion.

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**(5J) PROPOSED APPOINTMENT OF LULA FAIREY TO THE COMMISSION ON THE STATUS OF WOMEN - COUNCILMEMBER QUINTERO (FOR INTRODUCTION)**

On motion of Councilmember Quintero, seconded by Councilmember Boyajian, duly carried, RESOLVED, the appointment of Lula Fairley to the Commission on the Status of Women introduced before the Council and laid over, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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**(5L) PROPOSED APPOINTMENT OF ARDELL BARNES TO THE SAN JOAQUIN RIVER CONSERVANCY BOARD - COUNCILMEMBER PEREA (FOR INTRODUCTION)**

Councilmember Perea made a motion to introduce the appointment. President Steitz noted there was no written background information on Mr. Barnes and made a motion to table the matter one week to receive that information.

On motion of President Steitz, seconded by Acting President Mathys, duly carried, RESOLVED, the introduction of the proposed appointment of Ardell Barnes to the San Joaquin River Conservancy Board tabled one week, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	Perea
Absent	:	None

- - - -

**(5M) REQUEST CITY MANAGER TO DIRECT STAFF TO CREATE A TASK FORCE FOR THE PURPOSE OF ESTABLISHING STANDARDS OF REVIEW FOR CHARTER SCHOOLS - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo who commented on the need for a task force to come up with some basic standards within the legal bounds of State law before a charter school could be approved. Councilmembers Bredefeld and Perea left at 6:30 p.m. for the remainder of the meeting. President Steitz stated he would be happy to set up a Council task force to work with the school board, staff and interested parties and bring back some recommendations adding he was interested in participating.

City Manager Reid questioned if operational standards was the issue or zoning locations, and explained the zone text process if zoning was the issue. Acting President Mathys left at 6:31 p.m. for the remainder of the meeting. Brief discussion ensued and City Attorney Montoy recommended before a task force is established she be allowed to look into the issue, and stated she would provide a summary of what charter school law allows, which was approved by Council consensus.

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**(5N) PROPOSED APPOINTMENT OF HANNO POWELL TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMISSION - MAYOR PATTERSON (FOR INTRODUCTION)**

Upon question of Councilmember Ronquillo, City Manager Reid stated Mr. Powell was involved in Pacific Towers lawsuits against the City/Agency.

On motion of President Steitz, seconded by Councilmember Quintero, duly carried, RESOLVED, appointment of Hanno Powell to the HCDC introduced before the Council and laid over, by the following vote:

Ayes	:	Boyajian, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Bredefeld, Mathys, Perea

- - - - -

**DIRECTION TO STAFF TO SCHEDULE THE ISSUE OF SELECTING A THEME FOR FREEWAY 99 ON THE AUGUST 21<sup>st</sup> AGENDA FOR DISCUSSION AND ACTION - COUNCILMEMBER RONQUILLO**

Briefly reviewed by Councilmember Ronquillo and the matter was set for August 21<sup>st</sup> at 10:00 a.m.

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**ADJOURNMENT**

There being no further business to bring before the Council, the hour of 6:38 p.m. having arrived and hearing no objections, President Steitz declared the meeting adjourned.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 1999.

_____	ATTEST: _____
Ken Steitz, Council President	Yolanda Salazar, Assistant City Clerk